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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,855	10/16/2003	Robert P. Cozier	100111145-1	1731

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FORT COLLINS, CO 80527-2400

EXAMINER
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HENN, TIMOTHY J

ART UNIT	PAPER NUMBER
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2622

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/25/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/686,855

Applicant(s)

COZIER, ROBERT P.

Examiner

Timothy J. Henn

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Objections***

1. There are two occurrences of claim 17 present in the current claim set. For the purposes of art rejection, the first occurrence of claim 17 will be referred to as 17-1 and the second occurrence of claim 17 will be referred to as 17-2. Claim 18 which depends from claim 17 will be read as depending on the second occurrence of claim 17 (i.e. 17-2). Appropriate correction is required.

2. Claims 5, 11, 12, 17-1, 17-2, 21 and 25 are objected to because of the following informalities, appropriate correction is required.

#### **[claims 4, 11 and 24]**

Claims 4, 11 and 24 contain the limitation "email" while in claims 2, 10 and 21 the same limitation is written as "e-mail".

#### **[claims 5, 12, 17-2 and 25]**

Claims 5, 12, 17-2 and 25 end in a comma.

#### **[claim 11]**

Claim 11 is dependent on claim 9 and contains the limitation "by the email message", however there is insufficient antecedent basis for this limitation. For the purposes of art rejection claim 11 will be read as being dependent on claim 10.

#### **[claim 17-1]**

Claim 17-1 contains the limitation "by the email message", however there is insufficient antecedent basis for this limitation. For the purposes of art rejection, claim

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17-1 will be read as claiming "wherein the folder is given an intuitive name relating to the event".

**[claim 21]**

Claim 21 contains an unnecessary parenthesis after computer device.

6, 8, 13, 15, 18, 20 and 26

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5, 7, 9-12, 14, 16, 17, 19, 21-25 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carmi et al. (US 2003/0174242) in view of Nakamura et al. (US 7,009,643).

**[claim 1]**

Regarding claim 1, Carmi discloses a system including a computer device (Figure 1, Item 20) and a peripheral device connected to the computer device (Figure 1, Item 10). Carmi discloses that the computer device controls the peripheral device (e.g. Paragraphs 0078-0079) and further discloses a system for capturing and organizing images in which the computer device is used to create a folder, an image is captured and the image is stored in the appropriate folder (Paragraphs 0151-0164). However,

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while Carmi discloses creating folders in advance, the folders of Carmi are not related to a predetermined time period and the images are manually placed into the folder.

Nakamura discloses a system which automatically determines a proper storage location for an image based upon time data and a calendar which includes times at which various events are to take place (Figure 3; c. 4, l. 3 - c. 5, l. 4). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to create folders based upon events which occur at predetermined times and to automatically place images taken at those events in corresponding folders as taught by Nakamura. The examiner notes that since the system of Carmi creates folders and stores images on the peripheral device, it would be obvious to create folders corresponding to the predetermined events and to automatically store images in those folders on the peripheral device as claimed.

**[claim 2]**

Regarding claim 2, Carmi in view of Nakamura does not disclose a e-mail based event creation system as claimed. Official Notice is taken that it is well known in the art to schedule events using calendaring systems and to automatically send e-mails to event participants to inform them of when the event is taking place. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include an e-mail based event creation system in the system of Carmi in view of Nakamura. Since Nakamura discloses folder creation based on scheduled events, it would be obvious to create folders for the events corresponding to received e-mail

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invitations as claimed.

**[claim 3]**

Regarding claim 3, Carmi discloses a computer device (Figure 1, Item 20) and peripheral device (Figure 1, Item 10) which are inter-connectable via a cable. Carmi further discloses that the computer device is, for example, a standard PDA device (Paragraph 0132). The examiner notes that in such a system the computer device would inherently be capable of connecting to a plurality of peripheral devices as claimed, and following the teachings of Nakamura would create appropriate event folders for any images created during the event.

**[claim 4]**

Regarding claim 4, Nakamura discloses creating a folder with an intuitive name relating to the event (c. 4, ll. 64-66).

**[claim 5]**

Regarding claim 5, Nakamura describes creating a folder which has metadata (i.e. the folder's name) relating to the event (c. 4, ll. 64-66).

**[claim 7]**

Regarding claim 7, Carmi in view of Nakamura discloses a system including peripheral device which is a camera and a control device for the camera. However, Carmi in of Nakamura does not disclose a peripheral device which is a personal computer, hand held computer, personal digital assistant or cellular telephone. Official Notice is taken that personal computers, hand held computers, personal digital assistants and cellular telephones which include camera devices which include cameras

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are notoriously well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the control device of Carmi in view of Nakamura to interface with personal computers, hand held computers, personal digital assistants and cellular telephones which include cameras to allow for easy control of multiple camera devices with a single control device.

**[claim 9]**

Claim 9 is a method claim corresponding to apparatus claim 1. Therefore, claim 9 is analyzed and rejected as previously discussed with respect to claim 1. Claim 9 includes a further limitation of accepting an event on the computer device. Nakamura discloses a calendaring system which includes a number of different events (Figure 5). Official Notice is taken that it is well known in the art to allow a user to accept events into calendaring systems such as the one disclosed by Nakamura to schedule events created by others. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to accept an event as claimed on the computer device of Carmi in view of Nakamura to allow events scheduled by others to be entered into the users calendar.

**[claims 10 and 11]**

Regarding claims 10 and 11, see claims 2 and 4 respectively.

**[claim 12]**

Regarding claim 12, see claim 5.

**[claims 14, 19 and 27]**

Regarding claims 14, 19 and 27, see claim 7.

**[claim 16]**

Claim 16 is a method claim corresponding to apparatus claim 1, therefore claim 16 is analyzed and rejected as previously discussed with respect to claim 1. The examiner further notes that since the computer/control device of Carmi is used to control the camera 10, it would be obvious to connect the computer device at the time of the event and to create an event folder as described in Nakamura upon connection.

**[claims 17-1 and 17-2]**

Regarding claims 17-1 and 17-2, see claim 5.

**[claim 21]**

Regarding claim 21, see claim 1.

**[claims 22 and 24]**

Regarding claims 22 and 24, see claims 2 and 4 respectively.

**[claim 23]**

Regarding claim 23, see claim 3.

**[claim 25]**

Regarding claim 25, see claim 5.

5. Claims 6, 8, 13, 15, 18, 20 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carmi et al. (US 2003/0174242) in view of Nakamura et al. (US 7,009,643) in view of Ohkubo (US 2003/0184653).

**[claim 6]**



Regarding claim 6, Carmi in view of Nakamura does not disclose metadata which is a descriptor of the event timing. Ohkubo discloses a similar calendaring and image management system to Nakamura and further discloses creation of folder names which include date information (Figure 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include date information in the folder name as taught by Ohkubo to allow easy recognition of when an event occurred by looking at the folder name.

**[claims 13, 18 and 26]**

Regarding claims 13, 18 and 26, see claim 6.

**[claim 8]**

Regarding claim 8, Carmi in view of Nakamura does not disclose creating subdirectories in the folder. Ohkubo discloses a similar calendaring and image management system to Nakamura and further discloses creation of subdirectories within the folder for different date ranges (Figure 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to create subdirectories for different date ranges for each event to further ease the searching of data created at the event.

**[claims 15 and 20]**

Regarding claims 15 and 20, see claim 8.

***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

i. Yokokawa

US 2003/0063198

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy J. Henn whose telephone number is (571) 272-7310. The examiner can normally be reached on M-F 9:00 AM - 6:00 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571) 272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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TJH  
1/17/2006



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